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A N
A R G U M E N T

IN DEFENCE of *Book*
Passive Obedience,

I N
Opposition to all Manner of Tenets
Advanc'd by several Pretended
Fathers of the C H U R C H,
And other Eminent Writers
O N T H E
Side of Resistance
T O T H E
S u p r e m e P o w e r s.

By W H I T E K E N N E T, D. D.
And Dean of *Peterborough.*

The Second Edition.

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ARGUMENT

1841

Passive Obedience

Opposition to all Manner of Taxes
Advised by Revd. Frederick

Teachers of the Church



Side of

TO THE

Supreme Powers

By Wm. L. KENNEDY, D.D.
And Dean of Rochester

London

Printed for John Murray, near St. James's
Hall, 1841.

Price Two Pence.



A N
ARGUMENT
IN DEFENCE of
Passive Obedience.

SINCE it is an impulse of Nature to celebrate that Goodness by which we are influenc'd, and an universal Instinct disposes to extol our Benefactors: Since too, the infinite Obligations of Providence have now made Subjection our Happiness, as much as Religion has always assign'd it our Duty, and we have a Monarch so indulging, that our only Yoke is a pressure of Inability to raise a deserv'd Commendation, it is obvious to reflect with

Gratitude, on the Comforts of an easie Government, and a recognizance of the Merits of a gracious Prince were never more requisite, never more opportune. For in the experience of Afflictions, in the fortitude of Sufferance, in Lenity, Prudence, and other Royal Ornaments, most signally in a Justice above Interest or Importunities, in a Veracity beyond Inconstancy or Provocation, we want a Precedent of past Ages, and can dare the longest Posterity to produce and offer a Comparison. So that an Endeavour of making the Parallel run exact between *Trajan* and our *Monarch*, would be an Injury to the latter, who is propos'd to compleat it; and should we pursue a Rehearsal of whatever might be fairly imputed, the Design would be suspected not to Rival but Outvie, not to Equal but Excel, which though a Justice on the one part, would be a seeming Derogation on the other.

And I challenge the most unthinking to light upon any one commendable quality here Recorded of a *Foreign Hero*, but what he shall immediately pronounce copied and surpass'd by our *Native Monarch*. A *Monarch* who by Submission
while

while a Subject, taught others to Obey,
and himself to Command. Whose Pa-
tience, Generosity and Courage were ne-
ver more the Envy of the Factious, than
the Amazement of the Impartial, and
the Transport of the Loyal; whose Au-
spicious entrance to a Throne, assures
the happiest Progress, and merits the
longest Establishment on it. A *Monarch*
whose Accomplishments are in each re-
spect so admirable, that they surmount
Flattery, and defie the rankest Malice.
Whose Vertues are every way so Illu-
strious, that they dazle no less than en-
lighten: And (what his Piety abhors)
they almost threaten to eclipse the Glo-
ries of his *Royal Predecessors*.

There is indeed one odd kind of Vir-
tue in *Trajan* which we care not should
be honoured with Imitation, and that is
his wheedling of the Mobile by several
little less than sneaking Insinuations,
which betray a too violent ambition of
being Popular, and imply that he chose
rather to be a Fondling than a Master of
his Subjects, which, however specious and
alluring, tastes of a low Soul, and un-
hinges all Government, makes Obedience
and Submission precarious, animates to
claim

claim as a Debt whatever is in a good Humour granted, and is in effect a resignation of all Authority on the one Hand, and a dispensation for Resistance on the other.

A main specimen of this easiness in *Trajan* is his fine bravo * at the delivery of a Sword to the Captain of his Guards, *Take this, and if I Govern well, use it for me: But if ill, against me.* This generous Charge two Republican Commentators are so much affected with, that one † of them thinks it a concession never enough to be commended; and the other, || good Man is angry with the dull *Pliny* for being no more Rhetorical on so inviting a Topick, that he should give so slight a touch on an Action, which, if set off to its due advantage, would alone suffice for a compleat *Panegyrick*.

That all Commission'd Officers should draw their Swords in their Supreme General's Defence, if he would be honest and orderly: But if imperious and abusive, should brandish them to his Execution; ay! this was a piece of the Law of

* *Sect. 7.* † *Johannes Maria Catanaus. Genev. 1643. 4^o p. 128.* || *Justus Lipsius, Oxon. 1662. 2^o p. 196, 197.*
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Nature, and always an inherent Liberty of the Subject : But former Princes had been too shy and furlly to own it, it was *Trajan the Best*, who would first make the concession : Nay, pass that into an avow'd Command, which in its utmost Improvement before had been but a tacit allowance. This passage with other of like tendence were pertly cited, and very lovingly applied by that virulent *Preacher in King JAMES I. his Reign, who borrow'd his Notion of subjection from *David Paræus*, and so brought on the Commentaries of that Author the mockery of Martyrdom.

And the Reform'd Brethren of *Scotland*, who were never much addicted to admire any thing that came from a Prince, were yet so mightily taken with this Compliment of the Emperor's, that in the minority of a late Prince, they stamp'd on their Coin the Impress of a Sword with that Motto. It was a more

* See Dr. Peter Heylin's *Cyprianus Anglicus : Or the History of the Life and Death of William Laud Arch. of Canterbury, &c.* London 1674. in Fol. Part 1. l. 2. under the year 1622. p. 88, 89. *Historia & Antiquitates Universitatis Oxoniensis.* Oxon. 1674. fol. lib. 1. under the Year 1622. p. 326, 327, &c.

gudely Precept for Liberty than any their barren Gospel would afford: And tho' it was a Heathen rant from one Prince to a particular Subject, they would adopt it for an universal Christian Duty, and in such a case, devout Souls, for once they would obey for Conscience sake.

Nay, there has scarce been any one Pestilent Libel teem'd to promote Anarchy and justify * Rebellion, but what has gloried in this Quotation and built upon it the consequence of an Arbitrary Submission, not longer to be practis'd than while no Oppressions or Grievances could be plausibly or indeed possibly complain'd of. Yet it must be confess'd that † learn-

* Steph. Junii Bruti Vindiciæ contra Tyrannos, &c. Ursellis, 1600. 12° quæst. 3. p. 158. *Anonymous Treatise De jure Magistratum in Subditos, &c.* p. 217. *annext usually to the former; both which very scandalous and pernicious pieces have been almost generally reputed to have been penn'd by Theod. Beza; although some, I know, have farther'd the latter on his Comrade Fran. Hottoman, the great Civilian. Grot. De jure belli ac pacis, &c. l. i. c. 4. Sect. 6 Johannis Miltoni pro Populo Anglicano defensio, &c. Lond. 1651. 12° p. 176, 177. with many other.*

† Joannis Adami Osiandri Jus belli ac pacis H. Grotii illustratum Tubingæ, 1671. 8° ad l. i. c. 4. *Thes. 6. Observatio*, p. 552. Sam. Bocharti *Epistola Domino Morley adjecta Geogr. Sacræ. &c. Francof. 1674. 4° p. 54. Dr. Will. Falkner's Christian Loyalty, &c. Lond. 1679. 8°*

ed Authors of a calmer Temper, have constantly given far more sober Interpretations of this so unwary and inconsiderate a flourish.

But whether this Expression of *Trajan* were only the stretch and effort of a complaisant Humour ; or no more than a Figure to dress up his confidence of that Person's Integrity to whom it was apply'd : Or whether (what's indeed the most plausible *Salvo*, yet argues a flight of Generosity beyond Discretion) it was a declaration of his fixt Resolves to Govern well.

We are sure if it be intepreted for a serious Instruction, for any practicable Advice, nothing could more proclaim the unadvisedness of that Prince, because nothing more evacuates all the Ties of Allegiance. For if Subjects must in truth no longer submit, than they confess themselves unopprest and honestly dealt with : But as soon as a little teaz'd with any

b. 2. c. 5. Sect. 1. Para. 8. Dr. Gabriel Towerfon's Explanation on the Decalogue, &c. Lond. 1681. Fol. On the V. Com. Part 7. p. 259. Sir George Mackenzie's Jus Regium, &c. Lond. 1684. 8° p. 50. Dr. W. Sherlock's Case of Resistance, &c. Lon. 1684. 8° c. 5. p. 171, 172. Besides Dr. William Howel, who barely mentions it; Institution of General History, &c. L. 1680. Fol. Second Edit. b. 4. c. 5. p. 883.

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imaginary Wrong (for they themselves are to be sole Judges, or the Principle has no consequence) may fly in the Face of that Authority, which gives them the Affront, and depose that Power which they suspect will be too hard for 'em, is so rank a Tenet, that Treason, Tumult, Anarchy, Confusion, and all the licentious Mischiefs of Earth and Hell would be its damning Inference: The Prince being crush'd into the most helpless of Slaves, and every peevish Incendiary prefer'd his Supreme Lord.

It hurries on so violently to Seditions and Rebellion, that did the *Romans* believe they might do what this direction to the Captain imply'd, and yet permit the Emperor, who authoris'd 'em with that Privilege, to pass his one and twenty Years Reign without any Mutiny or Insurrection: I say, did the *Romans* suppose it to be serious Advice, and yet never pervert it to the Prejudice of him, who bestow'd it, nothing less can be inferr'd than (what is not handsome to own) that the Loyalty of Heathens surmounts that of the precisest Christians, since the one could be steadily Obedient where they had in a manner leave to Resist:

list: And yet the other be so apt to Rebel, where they have all the restrictions of Nature, Religion, and National Laws to submit and be quiet.

Nay, had this soothing Prince deliver'd it as a Licence to have himself chastis'd, yet by the frankest concession he could not have Authoris'd the Captain's Revolt. For it is even beyond the Prerogative of Supreme Powers to Legitimate Resistance, or endow their Subjects with a Charter to Rebel. However valid unextorted Resignations and voluntary Assents to deposition may be, yet 'tis certain no Sovereign Authority, while so continuing, can dispence any Liberty for Disobedience, or absolve from the Crime of Treason, any more than my saying to another, *I'll give you leave to kill me*, would in Justice acquit him from the guilt of Murther.

So that whatever acceptation it will bear, there is nothing more illogical, impertinent, or absurd than to alledge it as an Authentick Plea for Subjects by force to amend the suspected Irregularities of their Governours: Yet to this Use have a great many late Demagogues most pertly apply'd it in challenge and

defiance to all the evident restrictions of Nature's and Religion's Laws. Some from hence inferring a right of Resistance as a Property of each the most inferior Member of Societies : Others by a modester (though no less mischievous) retrench confining it to the subordinate Magistrates, whose Office is pretended to empower 'em for a defence of the Peoples Liberties, though in expresse opposition to that Superior, who deputed 'em.

After all, the most natural deduction, which I conceive this passage capable of, is this, that such flashes of good Nature in a Prince may be of very hurtful Consequence, they prostitute his Honour, alienate his Authority, and make all the Rabble an execrable High Court of Justice. Hence I wonder'd at always, and condemn'd the inconsiderateness of those Authors, who, though they would interpret it to no disloyal Tendence, yet have wink'd at the Consequence they are presum'd to detest, and have only extoll'd this saying for the noble Sally of a resolute, undaunted, and heroick Soul. Whereas 'tis at the best but an unwary Vapour, an indigested flant of Popu-

Popularity, to the quest whereof this Prince was too abundantly addicted, as is farther conspicuous in several other of his demeanours remark'd in the following harrangue: Particularly in the LVI. *Señt.* where *Pliny* seems to intimate that *Trajan* had submitted himself to Govern upon the strange and unheard-of Terms, of *the Prince being above the Laws, but the Laws above the Prince*: Which destroys the prime and fundamental Prerogative of Princes, their being unaccountable to any but God, and was the very Principle our late Regicides proceeded on.

It is true, if that specious Maxim, be meant only of the pre-eminence of the Laws in a bare directive and regulative Power, it is what sober Men have always own'd, and wise Princes have as duly practis'd; but if it must be understood (as the occasion and coherence in *Pliny* intimate) of a coercive, and vindicative Power to be exercis'd on Supreme Governours; whenever their Subjects shall adjudge 'em guilty of the breach of those Laws, which they have oblig'd themselves by Oath to observe: It debases the
Prince

Prince beneath the vilest Malefactors, and exposes his Person to the worst of Butcheries: For though it proclaims not an impunity to a private Assassin, yet it ascertains the Murther, and enhances the Ignominy, by justifying a formal Execution.

The Strictures upon the uncautious Humour of *Trajan* I have thought fit to premise from an hearty averness to whatever plausible Pretences may instigate to Sedition.

Such little improvident Deliveries are as Poisonous as the rankest of downright Positions; nay, they be more fatal, because trick'd up in a more specious Guise, where the Venom in being less discern'd is the more palatably imbib'd, and spreads its Infection with the greater defiance to Art and Antidote.

So that if this Censure obviate all farther Contagion, it is what my honest Endeavours sincerely aim at, and what my Prayers shall never be wanting to promote.

Yet after this Reflection on the easiness and indecent compliances of *Trajan*, I must do him so much justice as
to

to confess, that he was judicious enough to foresee the Mischiefs of his hanging on the Peoples Courtesie; and therefore whenever any impendent Danger threatned, he vindicated his Dignity from all Encroachments, and sharply quell'd all the Assaults of Faction, as is evident in several Occurrences of his Reign, more eminently in his exemplary Justice on those, who disturb'd his Predecessor's Peace, *Casperi* and his Pretorians, who protested against *Nerva's* pardon of *Domitian's* Murthers, and Covenanted to bring 'em all to a condign Punishment: Yet without any Injury to the Person of their Prince; but for all this winning and pious Pretext, *Trajan* sends for 'em, and amidst their hopes of Excuse and Preferment, executes the Leader and principal Followers: To which just Vengeance the happiness of his remaining Years is more to be attributed than to any Clemency or sparing Indulgence.

And now I ask the Reader no other Mercy, but, That when he has run through this Character of a *Roman Emperor*, he would bless the Divine Pro-

Providence for living under the Protection of a more Gracious *Monarch*, who wants nothing but the united Allegiance of his Subjects to make him Happier than *Augustus*, since Heaven and his own Goodness have already made him even Better than *Trajan*.



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